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WILLIAM T. WALSH
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

KING PHARMACEUTICALS, INC. and
MERIDIAN MEDICAL TECHNOLOGIES, INC.,

Plaintiffs,

v.

SANDOZ INC.,

Defendant.

Civil Action No. 10-03568

Hon. Mary L. Cooper, U.S.D.J.
Hon. Lois H. Goodman, U.S.M.J.

STAY ORDER

This matter having come before the Court upon the application of Defendant Sandoz Inc. ("Sandoz") for entry of an Order staying this action,

WHEREAS, pursuant to 21 U.S.C. § 355(j)(5)(B)(iii), the filing of Plaintiffs' Complaint triggered a 30-month stay of FDA approval of Sandoz's Abbreviated New Drug Application No.

090725 seeking approval to market a generic version of the EpiPen[®] Auto-Injector product (“the 30-Month Stay”);

WHEREAS, fact discovery has recently commenced, expert discovery and *Markman* briefing have not yet commenced, and a *Markman* hearing and trial date have not been set;

WHEREAS, Sandoz has conferred with Plaintiffs King Pharmaceuticals Inc. and Meridian Medical Technologies, Inc. (collectively “Plaintiffs”), and Plaintiffs do not oppose Sandoz’s application for stay;


NOW, THEREFORE, based on the foregoing, having considered the parties’ submissions and the prior proceedings in this case, and in the interests of judicial economy and for good cause shown, it is hereby **ORDERED** that:

(1) All proceedings in this case (except those required for implementation or enforcement of this Order) are hereby stayed for a period of six months beginning May 4, 2011, and ending November 4, 2011.

(2) The running of the 30-Month Stay shall be tolled effective May 4, 2011 until November 4, 2011, at which point the 30-Month Stay will immediately begin to run again; *AND*

IN THE MEANWHILE, THIS ACTION IS ADMINISTRATIVELY TERMINATED, AND WILL BE REOPENED UPON LETTER REQUEST BY ANY PARTY.

Dated: May 10, 2011


HON. MARY L. COOPER
UNITED STATES DISTRICT COURT JUDGE